IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

WP(C).No. 24950 of 2007(T)

PETITIONERS:

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1. KUNNAMBATH MOIDU, S/O.KUNJUMON,
   MEMBERSHIP NO.1613, NALAKATH HOUSE,
   AKALAD, CHAVAKKAD TALUK.

2. KAWLATH MOIDU, W/O.MOIDU,
   MEMBERSHIP NO.B.784, NALAKATH HOUSE,
   AKALAD, CHAVAKKAD TALUK.

BY ADV. SRI.C.M.ABRAHAM (CHALAMADAM)

RESPONDENTS:

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1. THE JOINT REGISTRAR, CO-OPERATIVE
   SOCIETIES, THRISSUR.

2. THE CHAVAKKAD TALUK RURAL HOUSING,
   CO-OPERATIVE SOCIETY R-344,
   REPRESENTED BY ITS SECRETARY,
   P.O.PAVARATTY, THRISSUR DISTRICT.

R1 BY GOVT. PLEADER SMT. ANU SIVARAMAN.
R2 BY ADV. SRI. N.J. JOHNSON.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No. 24950 of 2007

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Dated this the 17th day of August, 2007

JUDGMENT

Case of the petitioners in brief is as follows:

Petitioners availed a loan. It could not be repaid. It is their case that there were three major surgeries undergone by the second petitioner. The second respondent obtained an award and in execution of the award the property is bid in auction for a sum of Rs.5,06,697/- and petitioners and members of their family were evicted from the house. According to them the property is worth Rs.60 Lakhs and they will pay the amount due to the respondents forthwith in full settlement.

2. I heard counsel for the petitioners and also Sri. N.J.Johnson appearing on behalf of the second respondent. Sri. N.J.Johnson submits that a decision can be ordered to be taken on Ext.P2.

Accordingly the writ petition is disposed of directing the second respondent to consider and take a decision on Ext.P2 in accordance with law within a period of one month from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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